



General Assembly

January Session, 2001

Raised Bill No. 140

LCO No. 985

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT CONCERNING THE NEXT GENERATION OF VOTING MACHINES FOR CONNECTICUT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-241 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 (a) All elections, primaries and referenda under this title shall be
4 conducted by using the same type of voting machine.

5 (b) On and after the effective date of this section, the Secretary of the
6 State may approve a new type of voting machine for use at elections,
7 primaries and referenda under this title only by adopting regulations
8 in accordance with the provisions of chapter 54. The regulations shall
9 include a description of the voting machine, specifications and
10 standards for the machine, and provisions for use of the machine,
11 including, but not limited to, the adjustment of the machine in
12 preparation for voting, process of voting, canvass of votes cast and
13 certifications.

14 (c) Any person owning or holding an interest in any voting

15 machine, as defined in subsection (w) of section 9-1, may apply to the
 16 Secretary of the State to examine such machine and report on its
 17 accuracy and efficiency. The Secretary of the State shall examine the
 18 machine and determine whether, in [his] the secretary's opinion, the
 19 kind of machine so examined meets the requirements of section 9-242,
 20 as amended by this act, and can be used at elections, primaries and
 21 referenda under this title. If the Secretary of the State determines that
 22 the machine can be so used and adopts regulations under subsection
 23 (b) of this section, such machine [may be adopted] shall be approved
 24 for such use. No machine not so approved shall be so used. Each
 25 application shall be accompanied by a fee of [one] five hundred dollars
 26 and the Secretary of the State shall not [give his] make such a
 27 determination or initiate the process for adopting said regulations for
 28 approval of any machine until such fee and the expenses incurred by
 29 [him] the secretary in making the examination have been paid by the
 30 person making such application. Any voting machine company which
 31 has had its voting machine approved and which subsequently alters
 32 such machine in any way, shall provide the Secretary of the State with
 33 notice of such alterations, including a description thereof and a
 34 statement of the purpose of such alterations. If any such alterations
 35 appear to materially affect the accuracy, appearance or efficiency of the
 36 machine, or modify the machine so that it can no longer be used at
 37 elections, primaries or referenda under this title, at the discretion of the
 38 Secretary of the State, the company shall submit such alterations for
 39 inspection and approval, at its own expense, and the secretary shall
 40 amend the regulations adopted under subsection (b) of this section
 41 before such altered machines may be used. The Secretary of the State
 42 may adopt regulations in accordance with the provisions of chapter 54
 43 concerning examination [and approval] of voting machines under this
 44 section.

45 (d) No voting machine which records votes by means of holes
 46 punched in designated voting response locations may used at any
 47 election, primary or referendum under this title.

48 Sec. 2. Section 9-242 of the general statutes is repealed and the
49 following is substituted in lieu thereof:

50 (a) A voting machine approved pursuant to regulations adopted by
51 the Secretary of the State under subsection (b) of section 9-241, as
52 amended by this act, shall be so constructed as to provide facilities for
53 voting for the candidates of at least nine different parties or
54 organizations. It shall permit voting in absolute secrecy. It shall be
55 provided with a lock by means of which any illegal movement of the
56 voting or registering mechanism is absolutely prevented. Such
57 machine shall be so constructed that an elector cannot vote for a
58 candidate or on a proposition for whom or on which [he] the elector is
59 not lawfully entitled to vote.

60 (b) It shall be so constructed as to prevent an elector from voting for
61 more than one person for the same office, except when [he] the elector
62 is lawfully entitled to vote for more than one person for that office, and
63 it shall afford [him] the elector an opportunity to vote for only as many
64 persons for that office as [he] the elector is by law entitled to vote for,
65 at the same time preventing [his] the elector from voting for the same
66 person twice. It shall be so constructed that all votes cast will be
67 registered or recorded by the machine.

68 (c) Notwithstanding the provisions of subsection (b) of this section,
69 the Secretary of the State may [approve] adopt regulations under
70 subsection (b) of section 9-241, as amended by this act, approving a
71 voting machine which requires the elector in the polls to place [his] the
72 elector's ballot into the recording device and which meets the
73 voluntary performance and test standards for voting systems adopted
74 by the Federal Election Commission on January 25, 1990, as amended
75 from time to time, [and regulations which the Secretary of the State
76 may adopt in accordance with the provisions of chapter 54,] provided
77 the voting machine shall (1) warn the elector of overvotes, (2) not
78 record overvotes, and (3) not record more than one vote of an elector
79 for the same person for an office.

80 Sec. 3. (NEW) Notwithstanding the provisions of section 9-250 of the
81 general statutes and any other section of the general statutes, the
82 Secretary of the State may adopt regulations approving a voting
83 machine, in the manner provided by section 9-241 or 9-242 of the general
84 statutes, as amended by this act, on which the names of political parties
85 and party designations cannot be arranged in columns or horizontal
86 rows immediately adjacent to the column or row occupied by the
87 candidate or candidates of such political party or organization. If such a
88 voting machine is approved, the names of the candidates on such
89 machine shall be presented to the elector by office or position and each
90 candidate's name shall be presented once for the office, followed by the
91 candidate's party designation or party designations and the names shall
92 be listed in the order of the parties specified in section 9-249a of the
93 general statutes.

94 Sec. 4. (NEW) If a voting machine approved pursuant to section 3 of
95 this act is used at a primary, the provisions of section 9-437 of the general
96 statutes shall apply to the voting machine, except that:

97 (1) The names of party-endorsed candidates for an office or the
98 position of town committee member shall be listed first under the
99 appropriate title in alphabetical order, each followed by an asterisk and
100 the words "Slate A".

101 (2) Below the name of a party-endorsed candidate, if any, for a state
102 office shall be placed the name of a candidate whose name has appeared
103 on a single certificate filed under subsection (a) of section 9-400 of the
104 general statutes, proposing two or more candidates and proposing one
105 candidate for each state office to be contested at such primary. The name
106 of such candidate shall be followed by the words "Slate B". If more than
107 one such full slate of two or more state offices is filed, the Secretary of the
108 State shall determine by lot, in a ceremony which shall be open to the
109 public, the order and precedence as to alphabetical designation on the
110 ballot of the slate on each such certificate. Below such full slates, if any,
111 all other candidates for state office shall be placed in alphabetical order

112 under the appropriate office title.

113 (3) Below the name of a party-endorsed candidate, if any, for a district
114 office shall be placed the names of all other candidates for such office in
115 alphabetical order.

116 (4) Below the names of party-endorsed candidates, if any, for a
117 municipal office shall be placed in alphabetical order the names of
118 candidates for such office whose names appeared on a single petition
119 proposing two or more candidates and proposing the full number of
120 candidates for each office to be contested at such primary as the party
121 may nominate at the primary. The name of each such candidate shall be
122 followed by the words "Slate B". If more than one petition proposing
123 such full slate is filed, the names on each such petition shall be placed in
124 alphabetical order and precedence as to order and alphabetical
125 designation of each such full slate shall be given to the candidates whose
126 names appear on the first such petition filed and so on in chronological
127 order. The provisions of section 9-437 of the general statutes shall apply
128 when such order of filing is simultaneous or is unable to be determined.
129 Below such full slates, if any, all other candidates for municipal office
130 shall be placed in alphabetical order under the appropriate office title.

131 (5) Below the names of party-endorsed candidates, if any, for town
132 committee shall be placed in alphabetical order the names of candidates
133 whose names have appeared on a single petition. The name of each such
134 candidate shall be followed by the words "Slate B". If more than one
135 petition is filed, the names on each such petition shall be placed in
136 alphabetical order and the order and precedence as to alphabetical
137 designation of each such slate shall be determined in accordance with
138 section 9-437 of the general statutes.

139 (6) In the case of a delegate primary, the slates shall be listed on the
140 ballot in the order prescribed by section 9-437 of the general statutes and
141 each slate shall be identified as it would have been identified pursuant to
142 section 9-437 of the general statutes on voting machines approved prior
143 to the effective date of this section.

144 (7) The position of the name of each candidate on the ballot shall be
145 determined as of the final time for filing candidacies specified in sections
146 9-400 and 9-405 of the general statutes and the provisions of section 9-437
147 of the general statutes relating to vacancies in candidacies thereafter
148 occurring shall apply.

149 Sec. 5. (NEW) (a) There is established an account to be known as the
150 "voting technologies account", which shall be a separate nonlapsing
151 account within the General Fund. The account may contain any
152 moneys required by law to be deposited in the account. The moneys in
153 said account shall be allocated for the purposes of section 6 of this act.

154 (b) Notwithstanding the provisions of section 4-30a of the general
155 statutes, the State Treasurer shall transfer twenty million dollars of the
156 unappropriated surplus in the General Fund for the fiscal year ending
157 June 30, 2001, to the voting technologies account.

158 Sec. 6. (NEW) (a) The Secretary of the State shall establish a program
159 of grants to municipalities to defray the costs of acquiring and
160 installing any new type of voting machines approved under section 1
161 of this act to replace existing voting machines for use by all
162 municipalities in elections, primaries and referenda under title 9 of the
163 general statutes. Such grants shall be used for voting machines
164 approved pursuant to sections 9-241 and 9-242 of the general statutes,
165 as amended by this act, and sections 3 and 4 of this act and may also be
166 used for the purchase of additional new voting machines for
167 educational purposes.

168 (b) The secretary may also purchase a limited number of existing
169 voting machines to extend the useful life of voting machines currently
170 in use by municipalities.

171 Sec. 7. Not later than January 1, 2002, the Secretary of the State shall
172 submit a report on voting machine technology to the joint standing
173 committee of the General Assembly having cognizance of matters
174 relating to elections. The report shall include (1) an inventory of the

175 number and condition of all existing voting machines used by
176 municipalities for elections, primaries and referenda under title 9 of
177 the general statutes, an estimate of the annual cost of maintaining said
178 machines over the next five years and an estimate of the cost of
179 purchasing additional used voting machines, and (2) an estimate of the
180 cost of replacing said voting machines with a new type of voting
181 machine.

182 Sec. 8. Section 9-242a of the general statutes is repealed.

183 Sec. 9. This act shall take effect from its passage.

Statement of Purpose:

To provide for the replacement of all existing voting machines for elections, primaries and referenda with voting machines using a new type of voting technology.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]